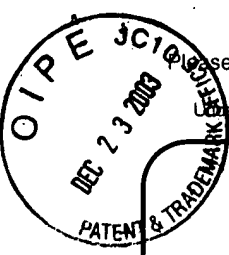


Image 1635



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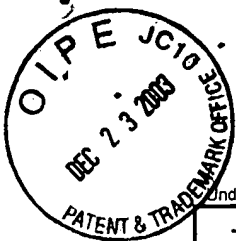
TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/928,262
	Filing Date	August 10, 2001
	First Named Inventor	Havenga et al.
	Group Art Unit	1635
	Examiner Name	B. Whiteman
	Attorney Docket Number	2578-4509.1US

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Postcard receipt acknowledgment (attached to the front of this transmittal)	<input type="checkbox"/> Information Disclosure Statement, PTO/SB/08A; <input type="checkbox"/> copy of cited references	<input checked="" type="checkbox"/> Terminal Disclaimer for 09/517,898 with check in the amount of \$55.00
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm or Individual name	Andrew F. Nilles	Registration No. 47,825
Signature	<i>Andrew F. Nilles</i>	
Date	December 19, 2003	

CERTIFICATE OF MAILING			
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Docket Number (Optional)
2578-4509.1US

In re Application of: Havenga et al.

Application No.: 09/928,262

Filed: August 10, 2001

For: GENE DELIVERY VECTORS WITH CELL TYPE SPECIFICITY FOR PRIMARY HUMAN CHONDROCYTES

The owner*, Cruce Holland B.V. of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173 as shortened by any terminal disclaimer filed prior to the grant of any patent granted on pending second Application Number 09/517,898, filed on March 3, 2000. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the second application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of any patent granted on the second application, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that any such granted patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

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2. ☒ The undersigned is an attorney of record.

Andrew F. Nilles

12/19/2003

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